IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.2982 OF 2007

IN

APPEAL (L) NO.872 OF 2006

...

Manorama Dina Patil ...Appellant

v/s.

Vijayshree Ashok Mhatre

and ors. ...Respondents

...

Mr.Girish Desai i/b Suhas S. Patil for the Appellant.

Mr.V.J.Shah i/b Fazalbhai Motafram & Co. for Respondent No.1.

Mr.M.K.Mudnaney for Respondent No.2.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 16TH AUGUST, 2007

P.C.:

As it is an admitted position that the order dated 30th July, 2007 was made in the absence of Respondent No.1, the order dated 30th July, 2007 is recalled.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

APPEAL (L) NO.872 OF 2006

IN

NOTICE OF MOTION NO.2908 OF 2006

IN

SUIT NO.2290 OF 2006

...

Manorama Dina Patil ...Appellant

v/s.

Vijayshree Ashok Mhatre

and ors. ...Respondents

...

Mr.Girish Desai i/b Suhas S. Patil for the Appellant.

Mr.V.J.Shah i/b Fazalbhai Motafram & Co. for Respondent No.1.

Mr.M.K.Mudnaney for Respondent No.2.

...

CORAM: D.K.DESHMUKH &

J.H.BHATIA, JJ.

DATED: 16TH AUGUST, 2007

P.C.:

The impugned order dated 5th September, 2006, which is clarified by order dated 15th September, 2006 apart from being order made by consent of parties is also an ad-interim order. Therefore, in our opinion, it will not be appropriate to entertain the Appeal. The learned single Judge hearing the motions, is however, requested to hear the motion as expeditiously as possible. Appeal disposed of.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)